

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

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TO SECSTATE WASHDC 2245

INFO AMEMBASSY BONN

AMEMBASSY LONDON

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AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 1403

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW, GE

SUBJECT: POSSIBLE FRG AND SENAT MEASURES AGAINST EXFILTRATION

REF: A) BERLIN 1392; B) BERLIN 1377; C) BERLIN 1301; D) BONN 11414

1. EAST GERMAN PRESS CAMPAIGN ATTACKING "FLUCHTHILFE" ORGANIZATIONS AND CALLING FOR FRG AND SENAT ACTION AGAINST VIOLATORS OF TRANSIT AGREEMENT CONTINUES. AUGUST 13 NEUES DEUTSCHLAND (ND) REFERRED TO VIOLATIONS IN LEADE EDITORIAL ON 12TH ANNIVERSARY OF WALL. SAME EDITION ALSO CARRIED NUMBER OF EXCERPTS FROM COMMUNIST AND NON-COMMUNIST NEWSPAPERS SUPPORTING AUGUST 10 ND EDITORIAL (BERLIN 1377). THE EXCERPTS RAN GAMUT FROM COMMUNISTS ATTACKS AGAINST "PEOPLE-SMUGGLING GANGS" TO MORE RESTRAINED WESTERN EDITORIALS CALLING FOR ADHERENCE BY BOTH SIDES TO TRANSIT AGREEMENT.

2. BERLIN OFFICIALS TAKE THE GDR CAMPAIGN SERIOUSLY.

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HOWEVER, GIVEN THE SENSITIVE DOMESTIC POLITICAL (NOT

TO MENTION MORAL) ISSUES INVOLVED, SENAT BELIEVES IT AND FRG ARE OPERATING UNDER SEVERE LIMITATIONS AS TO WHAT MEASURES THEY MIGHT TAKE TO REDUCE COMMERCIAL EXFILTRATION OPERATIONS. MAYOR NEUBAUER AS WELL AS OTHER SENATORS HAVE EXPRESSED UNHAPPINESS WITH JULY 29 GRABERT INTERVIEW (BERLIN 1301) WHICH HAS RESULTED IN ACRIMONIOUS PUBLIC DEBATE AND FURTHER REDUCES ALREADY LIMITED FREEDOM OF ACTION. NEITHER NEUBAUER NOR SENATOR FOR FEDERAL AFFAIRS TO BE BELIEVE NEW LAWS WILL BE ENACTED AGAINST COMMERCIAL EXFILTRATION ORGANIZATIONS, NOR DO THEY EXPECT A RASH OF PROSECUTIONS UNDER EXISTING STATUTES. IT IS HOPED BY SENAT (PERHAPS NAIVELY) THAT PLANNED SENAT-FRG MEASURES, (E.G.: TIONS TO WESTERN TRAVELLERS ON THE TRANSIT ROUTES, EXHORTATIONS BY FULLYPUBLICOFFICIALS) AND PERHAPS ARREST OF ONE OR MORE BLATANT "FLUCHTHILFE" OPERATORS WILL PACIFY THE GDR ENOUGH TO FORESTALL EAST GERMAN ACTION UNDER ARTICLE 16. FROM OUR VANTAGE POINT AT LEAST, IT APPEARS THAT AS YET TOUGH LINE HAS NOT MADE ITS WAY TO POLICE WORKING LEVEL WHERE RELAXED ATTITUDE TOWARD MAJOR OPERATORS IS STILL PREVALENT.

3. COMMENT: WE RECOGNIZE THE INHERENT POLITICAL PROBLEMS INVOLVED IN QUESTION OF EXFILTRATION. BUT WE ALSO BELIEVE THERE MAY BE A POLITICALLY PALATABLE APPROACH TO PROBLEM IN ADDITION TO THOSE MEASURES ALREADY TAKEN OR PLANNED BY THE FRG AND SENAT. IN OUR EXPERIENCE WITH CASES INVOLVING U.S. PERSONNEL, WE HAVE FOUND THAT MANY GERMAN EXFILTRATION ORGANIZERS ARE ALSO INVOLVED IN WIDE VARIETY OF CRIMINAL ACTIVITY SUCH AS NARCOTICS TRAFFIC, PROSTITUTION, EXTORTION, ETC. IT IS ALSO LIKELY THAT MANY ARE GUILTY OF TAX EVASION. GERMAN POLICE HAVE CONSIDERABLE EVIDENCE OF THESE ACTIVITIES, BUT FOR A VARIETY OF REASONS, INCLUDING ALLEGED SHORTAGE OF MANPOWER, THEY HAVE NOT TAKEN STRONG ACTION. A VIGOROUS CAMPAIGN OF PROSECUTION FOR THESE PURELY CRIMINAL ACTS AT THIS TIME MIGHT SERVE TO PUT SOME EXFILTRATORS OUT OF BUSINESS OR, IF THEY GET THE SIGNAL THAT THEIR EXFILTRATION ACTIVITIES HAVE BROUGHT THEM TO THE ATTENTION OF THE POLICE, IT MIGHT DISCOURAGE THEM FROM ENGAGING IN SUCH POLITICALLY SENSITIVE ASPECTS OF THEIR OPERATIONS. KLEIN
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